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Sale Of Alcoholic Beverages

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The Attorney General has summarized the proposed measure as follows:

SALE OF ALCOHOLIC BEVERAGES. INITIATIVE CONSTITUTIONAL AMENDMENT. Adds section 23 to Article XX of Constitution. Authorizes cities to prohibit liquor sales within city limits, through city council or by action of voters. Authorizes counties or voters to prohibit liquor sales within supervisorial districts outside cities. Prohibits issue or renewal of individual license upon protest filed by city; or, as to unincorporated areas, upon protest by county; or within areas zoned exclusively for residential use. Authorizes city or county authorities, or superior court, to suspend or revoke liquor licenses after hearing. Provides for discretionary annual renewal of liquor sales licenses.

State of California }
County (or City and County) of _____ } ss.

To the Honorable Secretary of the State of California:

We, the undersigned, registered and qualified electors of the State of California, residents of the county (or city and county) of _____, hereby present to the Secretary of State, this petition and hereby propose an amendment to the Constitution of the State of California by adding a new section to be numbered 23 to and amending Article XX of said constitution, said section 23 to read as hereinafter set forth in full, and petition that said amendment be submitted to the electors of the State of California for their adoption or rejection at the next succeeding general election or as provided by law. The proposed constitutional amendment reads as follows:

SECTION 23. Notwithstanding the provisions of Section 22 of this Article, relating to intoxicating liquors, no license for the sale of alcoholic beverages in any incorporated city or city and county shall be issued, renewed or continued in effect by any licensing authority in this state if, within thirty days from the giving of notice of application for such license as provided by law, or within thirty days prior to the annual renewal date of such license, the governing body of such incorporated city or city and county shall file with such licensing authority its written opposition to the issuance or renewal of such license. If the place where the applicant for such license proposes to sell such alcoholic beverages, or is selling such alcoholic beverages, is outside of any incorporated city, such license shall not be issued or renewed, if within said thirty days the governing body of the county wherein such alcoholic beverages are to be sold or are being sold, shall file with such licensing authority its written opposition to the issuance or renewal of such license. No license shall be issued or renewed for the sale of such alcoholic beverages within any city, city and county, or within a supervisorial district of a county outside of any incorporated city, if the governing body thereof shall have provided by appropriate legislation or the voters thereof by election, that the sale of alcoholic beverages or any of them separately shall not be licensed therein, and it shall be competent for such governing body to provide for the holding of such election in the manner prescribed by law and for the voters thereof to require by petition signed by the number of voters required by law, that such election be held. Whenever the zoning authority of any political subdivision shall have zoned any portion thereof for exclusively residential purposes, no such license shall be issued or renewed for the sale of alcoholic beverages within such zone.

Any license for the sale of alcoholic beverages may be suspended or revoked, after notice and hearing, by the body granting such license, by the governing authority of any city, city and county, or as to any license for sale of such beverages outside of an incorporated city, by the governing authority of the county thereof, or by the Superior Court for the county in which such alcoholic beverages are being sold, whether within or without an incorporated city, on complaint filed by any public officer or private citizen, where it shall be made to appear to the satisfaction of such governing body or Superior Court that the continuance of such license would be contrary to public welfare and morals.

Licenses for the sale of alcoholic beverages shall be issued for a period not in excess of one year and shall be renewable for like periods in the discretion of the licensing authority, subject to the foregoing provisions of this Section.

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STATE OF CALIFORNIA, }
COUNTY (or City and County) of _____ } ss.

_____, being first duly sworn, on his oath states: I am, and during all the time while soliciting signatures as hereinafter set forth was, a qualified and registered elector of the above named County (or City and County) of _____, and of the State of California; I am the person who circulated the attached and foregoing section of the initiative petition of which said section is a part and who solicited the signatures to the said section; I have circulated said section in the County (or City and County) of _____, State of California, all of the signatures to the attached section were made in my presence and upon the date shown after each signature and were solicited by me within the above named County (or City and County) of _____, State of California; and to the best of my knowledge and belief each signature to said section is the genuine signature of the person whose name it purports to be.

Signature

Residence Address

Subscribed and sworn to before me this _____ day of _____, 1956.